

FILED

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2022 MAY 13 PM 4:29

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MAY 13 2022

Douglas County
District Court Clerk

9 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

10 IN AND FOR DOUGLAS COUNTY

11 ROBERT LEUENBERGER, CASE NO. 2022-CV-00087
12 Plaintiff, DEPT. NO. II

13 vs.

14 WALMART, INC., a foreign
corporation; and DOES I-V,

15 Defendants.

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COMPLAINT

20 COMES NOW, Plaintiff, ROBERT LEUENBERGER (hereinafter referred to as "Plaintiff"),
21 by and through his undersigned counsel, the law firm of KILPATRICK BULLENTINI
22 WOODRUM, and for causes of action against Defendants, above named, alleges and states as
23 follows:

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26 That the true names or capacities, whether individual, corporate, or associates, agents or
employees of the Defendants, and all of them named herein as DOES I-X, are unknown to the
Plaintiff who therefore sues said Defendants by such fictitious names. The Plaintiff prays leave to
amend this Complaint to show the true names and capacities when the same have been fully

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1 determined. DOES include employees, third-party vendors, and third-party contractors, who were
2 negligent.

3 II

4 That at all times relevant to these proceedings, the Plaintiff was and remains a resident of
5 Gardnerville, County of Douglas, State of Nevada.

6 III

7 That Defendant, WALMART, INC., was and remains a foreign corporation or other business
8 entity doing business within Gardnerville, County of Douglas, State of Nevada.

9 IV

10 That on or about April 1, 2022, the Plaintiff sustained injuries when the wheelchair he was
11 sitting in broke and he fell, such incident taking place at Defendant WALMART, INC.'s store,
12 located at or near 1511 Grant Avenue in Gardnerville, County of Douglas, State of Nevada.

13 V

14 That Plaintiff's injuries sustained in the above-referenced incident were a direct and
15 proximate result of the negligent failure of the Defendant to maintain the store's wheelchairs in a
16 reasonably safe and proper working condition.

17 VI

18 That as a direct and proximate result of the negligent conduct of the Defendant, the Plaintiff
19 has sustained certain personal injuries the exact nature and extent of which are unknown at this time.
20 The Plaintiff has incurred medical expenses and is entitled to an award of damages to reasonably
21 compensate him for those medical expenses, and general damages, and appropriate damages for any
22 residual impairment and future medical expenses all in excess of \$15,000 as are recoverable
23 consistent with Nevada law.

24 VII

25 That the Plaintiff has been required to retain the services of counsel and has incurred costs
26 of suit herein.

27 VIII

28 That the Plaintiff is not a debtor in bankruptcy.
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1 WHEREFORE, the Plaintiff prays for judgment against the Defendant as follows:

- 2 1. For money damages not to exceed fifteen thousand dollars (\$15,000.00), to be
3 determined at the time of trial or hearing.
- 4 2. For a reasonable attorney's fee together with costs of suit and interest as provided by
5 statute.
- 6 3. For such other and further relief as may be deemed proper by this court.

7 DATED this 12 day of May, 2022.

8 KILPATRICK BULLENTINI WOODRUM

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10 CHARLES M. KILPATRICK, ESQ.
11 ADAM L. WOODRUM, ESQ.
12 Attorneys for Plaintiff

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